

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TOUGHER INDUSTRIES ENTERPRISES, \*  
LLC, \*

Plaintiff, \*

V. \*

N.B. KENNEY CO., INC.; ARCH \*  
INSURANCE COMPANY; CTA \*  
CONSTRUCTION CO., INC.; HMFH \*  
ARCHITECTS, INC.; and GARCIA \*  
GALUSKA & DESOUSA, INC., \*

Defendants, \*

V. \*

BERLIN-BOYLSTON REGIONAL  
SCHOOL DISTRICT and FIDELITY  
AND DEPOSIT COMPANY OF  
MARYLAND,

Third-Party Defendants. \*

Civil Action No. 13-cv-12567-IT

ORDER

August 14, 2015

TALWANI, D.J.

The court held a status conference in the above captioned matter on August 13, 2015. As set forth at the status conference, the court adopts the following scheduling order:

1. CTA Construction Co., Inc. (“CTA”) may file a motion to dismiss for lack of subject matter jurisdiction no later than August 20, 2015. N.B. Kenney Co., Inc. (“N.B. Kenney”) may file any response to the motion to dismiss no later than September 3, 2015.

2. N.B. Kenney may file a motion to enforce a settlement agreement, no later than August 20, 2015. CTA may file any response to the motion to enforce no later than September 3, 2015.

IT IS SO ORDERED.

Date: August 14, 2015

/s/ Indira Talwani  
United States District Judge